panel a grand jury for Grayson county, and providing that the judge of the Fifteenth Judicial District may empanel a grand jury for Grayson county in his discretion, adding Section 8a, validating process, etc., issued in the Fifteenth and Fifty-ninth Districts, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 11:15 o'clock a. m., presented same to the Governor for his approval.

TERRELL of McLennan, Chairman.

Committee Room, Austin, Texas, May 1, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 37, "An Act to amend Section 7, Chapter 55, page 509, Special Laws of the Regular Session of the Thirtieth Legislature of the State of Texas, approved April 4, 1907, entitled 'An Act creating and incorporating Lubbock Independent School District, in Lubbock county," etc.,

And find it correctly enrolled, and have this day, at 11:15 o'clock a. m., presented same to the Governor for his approval.

TERRELL of McLennan, Chairman.

SIXTEENTH DAY.

Senate Chamber, Austin, Texas, Tuesday, May 4, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding

The roll was called, a quorum being present, the following Senators answering to their names:

Paulus. Adams. Alexander. Peeler. Brachfield. Perkins. Bryan. Real. Cofer. Senter. Greer. . Stokes. Harper. Sturgeon. Terrell of Bowie. Hayter. Holsey. Terrell of McLennan. Hudspeth. Thomas. Kellie. Ward. Masterson. Watson. Mayfield. Weinert.

Willacy.

Meachum.

Murray.

Absent.

Hume.

Veale.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Kellie, the same was dispensed with.

BILLS AND RESOLUTIONS

By Senator Harper:

Senate bill No. 42, A bill to be entitled "An Act to amend Article 486, Chapter 5, Title 18 of the Revised Statutes of 1895, authorizing cities and towns to issue bonds and levy taxes in payment therefor; repealing all laws and parts of laws in conflict herewith, and deckaring an emergency."

Read first time, and referred to Committee on Towns and City Corporations.

SIMPLE RESOLUTION.

By Senator Hudspeth:

Whereas, It is absolutely necessary for information in the future regarding different measures upon the guaranty of banks that the speech delivered by the Senator from Dallas on Saturday, April 24, from the floor of the Senate relative to the guaranty of bank deposits be printed in the Journal: therefore, be it

printed in the Journal; therefore, be it Resolved, That the Senator furnish the Journal Clerk with a copy of this speech, and that the same be printed in the Journal for the information of the members of the Senate.

Hudspeth, Hume, Murray, Kellie, Willney, Perkins, Adams, Watson, Peeler, Meachum, Weinert, Real, Terrell of Mc-Lennan.

The resolution was read and adopted.

(Note.—The speech above provided for appears in tomorrow's Journal.)

INVITATION TO ATTEND BASEBALL GAME.

The Chair had the following read to the Senate:

Austin, Texas, May 4, 1909.

To the Lieutenant Governor and the Members of the Senate:

I take pleasure in hereby extending you an invitation to attend, as our guests, the baseball game between the University and Agricultural and MeSenate.

chanical College on Clark Field this afternoon at 4 o'clock.

BOB HOLLIDAY, Manager University Baseball Team.

On motion of Senator Peeler, the invitation was accepted.

Morning call concluded.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives, Austin, Texas, May 4, 1909. Hon. A. B. Davidson, President of the

Sir: I am directed by the House to inform the Senate that the House has

passed the following bills: Senate bill No. 38, A bill to be entitled "An Act to create a more efficient road

system for Wood county, Texas," etc. House bill No. 75, A bill to be entitled "An Act creating the North Zulch In-dependent School District in Madison county, Texas, defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency.'
Respectfully,

BOB BARKER, Chief Clerk, House of Representatives.

BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill (see above House message for caption):

House bill No. 75, referred to Committee on Educational Affairs.

SENATE BILL NO. 41.

On motion of Senator, Hudspeth, the regular order of business (Senate bill No. 3) was suspended, and the Senate took up, out of its order, Senate bill No. 41, by the following vote:

Yeas-24.

Adams.	Kellie.
Alexander.	Masterson.
Brachfield.	Mayfield.
Bryan.	Murray.
Cofer.	Paulus.
Greer.	Peeler.
Harper.	Perkins.
Hayter.	Real.
Holsey.	Stokes.
Hudspeth.	Terrell of Bowie.

Thomas. Ward.

Weinert. Willacy.

Nays-1.

Sturgeon.

Absent.

Hume. Meachum. Senter.

Terrell of McLennan. Venle. Watson.

The Chair laid before the Senate, on second reading

Senate bill No. 41, A bill to be entitled An Act to amend Section 1, Chapter 132 of the Acts of the Twenty-ninth Legislature, so as to permit the owner of land or lots sold to the State or to any city or town for taxes to redeem the same, with an emergency."

Bill read second time, and ordered en-

grossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas-24.

Adams. Alexander. Brachfield, Bryan. Cofer. Greer. Harper. Hayter. Hudspeth. Kellie. Masterson. Mayfield.

Murray. Paulus. Peeler. Perkins. Real. Stokes. Sturgeon. Terrell of Bowie. Thomas.

Ward. Weinert. Willacy.

Nays-1.

Holsev.

Absent.

Hume. Meachum. Senter.

Terrell of McLennan. Veale. Watson.

The bill was read third time, and passed by the following vote:

Yeas-20.

Adams. Alexander. Bryan. Cofer. Greer. Harper. Hayter. Holsey.

Hudspeth. Kellie. Masterson. Murray. Paulus. Peeler.

Perkins. Terrell of Bowie. Thomas. Ward. Weinert. Willacy.

Nays-2.

Brachfield.

Mayfield.

Absent.

Hume. Meachum. Real. Senter. Sturgeon. Terrell of McLennan. Veale.

Watson.

Stokes.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

SENATE BILL NO. 42.

On motion of Senator Harper, the regular order of business (Senate bill No. 3) was suspended, and the Senate took up, out of its order, Senate bill No. 42 (introduced today) by the following vote:

Yeas-23.

Adams. Mayfield.
Alexander. Murray.
Brachfield. Paulus.
Bryan. Peeler.
Cofer. Perkins.
Green Terroll of

Greer. Terrell of Bowie.
Harper. Terrell of McLennan.
Hayter. Thomas.
Holsey. Ward.
Hudspeth. Weinert.
Kellie. Willacy.

Masterson.

Absent.

Hume. Stokes.
Meachum, Sturgeon.
Real. Veale.
Senter. Watson.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its second reading by the following vote:

Yens-23.

Adama Holsey. Hudspeth. Alexander. Brachfield. Kellie. Bryan. Masterson. Cofer. Marfield. Greer. Murray. Harper. Paulus. Hayter. Peeler.

Perkins. Thomas.
Real. Ward.
Terrell of Bovie. Weinert.
Terrell of McLennan

Absent.

Hume. Meachum. Senter. Stokes. Sturgeon. Veale. Watson. Willacy.

On motion of Senator Harper, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report) by the following vote:

Yeas-25.

Adams. Murray.
Alexander. Paulus.
Brachfield. Peeler.
Bryan. Perkins.
Cofer. Real.
Greer. Senter.

Harper: Terrell of Bowie. Hayter. Terrell of McLennan.

Holsey.

Hudspeth.
Kellie.
Ward.
Masterson.
Mayfield.
Willacy.

Absent.

Hume. Meachum. Stokes. Sturgeon. Veale. Watson.

The Chair laid before the Senate, on second reading,

Senate bill No. 42, A bill to be entitled "An Act to amend Article 486, Chapter 5, Title 18, of the Revised Statutes of 1805, authorizing cities and towns to issue bonds and levy taxes in payment therefor; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill was put on its third reading and final passage by the following vote:

Yeas-25.

Adams. Alexander. Brachfield. Bryan, Cofer, Greer,

Perkins. Harper. Hayter. Real. Holsey. Senter. Hudspeth. Terrell of Bowie. Terrell of McLennan. Kellie. Masterson. Thomas. Mayfield. Ward. Murray. Weinert. Willacy. Paulus. Peeler.

Absent.

Hume. Sturgeon.
Meachum. Veale.
Stokes. Watson.

The bill was read third time, and passed by the following vote:

Yeas-27.

Adams. Paulus. Alexander. Peeler. Brachfield. Perkins. Bryan. Real. Cofer. Senter. Greer. Stokes. Harper. Sturgeon. Terrell of Bowie. Hayter. Holsey. Terrell of McLennan. Hudspeth. Thomas. Kellie. Ward Weinert. Masterson. Mayfield. Willacy. Murray.

Absent.

Hume. Veale. Meachum. Watson.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

SENATE BILL NO. 3.

The Chair laid before the Senate, on third reading and regular order, Senate bill No. 3, A bill to be entitled

Senate bill No. 3, A bill to be entitled "An Act making appropriation for the support of the State Government for two years, beginning September 1, 1909, and ending August 31, 1911, and for other purposes."

On motion of Senator Willacy, the bill was laid on the table subject to call.

HOUSE BILL NO. 18.

Senator Willacy called for House bill Commission
No. 18, and on his motion the Senate amendments.

rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report) by the following vote:

Yeas-27. .

Adams. Paulus. Alexander. Peeler. Brachfield. Perkins. Bryan. Real. Cofer. Senter. Greer. Stokes. Harper. Sturgeon. Hayter. Terrell of Bowie. Terrell of McLennan. Holsey. Thomas. Hudspeth. Ward. Kellie. Masterson. Weinert. Willacy. Mayfield. Murray.

Absent.

Hume. Veale. Watson.

The Chair laid before the Senate, on

second reading,

House bill No. 18, A bill to be entitled "An Act making appropriations for the support of the State government for two years beginning September 1, 1909, and ending August 31, 1911, and for other purposes, and prescribing certain regulations and restrictions in respect thereto; to make additional appropriations for the support of the State government ending August 31, 1909, and to pay various miscellaneous claims against the State, and declaring an emergency."

On motion of Senator Willacy, the

On motion of Senator Willacy, the committee report, with amendments, and that the bill be not printed, was adopted.

Senator Willacy moved that the bill be considered by departments, which motion was adopted.

(Senator Brachfield in the chair.) Executive Office—No amendments.

Mansion and Grounds—No amendments.

State Revenue Agent—No amendments.

Department of State—No amendments.

Treasury Department—No amendments.

School Land Department—No amendments.

Comptroller's Department - No amendments.

Commissioner of Pensions — No amendments.

Attorney General's Department-No amendments.

State Tax Board—No amendments. General Land Office—No amendments. School Land Department—No amendments.

State Department of Education-No amendments.

PUBLIC BUILDINGS AND GROUNDS.

Senator Peeler offered the following amendment:

Amend the appropriation bill under the head of Public Buildings and Grounds by adding thereto the following:

"For bitulithic paying the driveways around the State Capitol, aggregating 12,797 square yards, at not exceeding \$2.25 per square yard and amounting to, or so much thereto as may be absolutely necessary for years ending August 31, 1911, \$10,000; August 31, 1912, \$18,793.25."

Peeler, Willacy, Hudspeth, Paulus, Masterson, Kellie, Weinert, Watson, Murray, Hume, Senter, Adams, Harper, Real, Ward, Alexander.

(Senator Stokes in the chair.)

Senator Mayfield offered the following amendment to the amendment:

Amend the amendment by adding the following:

"The Superintendent of Buildings and Grounds may use or select such other material as he thinks best, provided the material selected shall not cost more than \$2.25 per square yard."

Pending discussion, Senator Hume moved the previous question on the amendment, and the amendment to the amendment, which motion being duly seconded, was so ordered.

The amendment to the amendment was adopted by the following vote:

Yeas-21.

Adams.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

		-7.
7.1	46 1 2	

Cofer. Hudspeth. Hume. Murray. Thomas. Weinert. Willacy.

Absent.

Alexander. Paulus. Veale.

The amendment as amended was then adopted by the following vote:

Yeas-23.

Adams. Paulus. Alexander. Peeler. Bryan. Perkins. Cofer. Real, Senter. Harper. Hayter. Terrell of Bowie. Terrell of McLennan. Holsey. Hudspeth. Ward. Watson, Hume. Kellie. Weinert. Masterson. Willacy. Murray.

Nays-7.

Brachfield. Greer. Mayfield. Meachum.

Stokes. Sturgeon. Thomas.

Absent.

Veale.

Senator Hume offered the following amendment:

Amend the bill by adding in line 8, page 21, the following:

"For the improvement, maintenance and care of the San Jacinto bat-

tlefield\$15,000 \$15,000

"And continuing the unexpired appropriation now on hand for said purposes, providing, that all drafts upon this appropriation shall be made in compliance with the provisions of Chapter 48, Acts of the Thirtieth Legislature, Regular Session, and when said drafts are made out in accordance with the provisions of said act, they shall be paid by the Treasurer of the State out of the appropriation here made.

"Provided, that all drafts upon this appropriation shall be made in compliance with the provisions of Chapter 48, Acts of the Thirtieth Legislature, Regular Session, and when said drafts are made out in accordance with the provisions of this act, they shall be paid

by the Treasurer of the State out of the appropriation here made."

(Lieutenant Governor Davidson in the chair.)

RECESS.

Senator Sturgeon moved that the Senate recess until 3:30 o'clock today, which motion prevailed.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives, Austin, Texas, May 4, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on House bill No. 17 by the following vote: Yeas, 80; Nays, 18.

Respectfully, BOB BARKER,

Chief Clerk, House of Representatives.

RULE SUSPENDED.

Here the Chair stated that a number of students from the Deaf and Dumb Asylum were present and desired to remain, whereupon Senator Hume moved that they be allowed to remain, which motion was adopted by the following vote:

Yeas-21

Adams.	Murray.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Stokes.
Greer.	Terrell of Bowie.
Harper.	Thomas.
Hayter.	Ward.
Hume.	Watson.
Kellie.	Weinert.
Masterson.	Willacy.
Meachum.	

Absent.

Alexander.	Real.	
Holsey.	Senter.	
Hudspeth.	Sturgeon.	
Mayfield.	Terrell of McLenna	
Paulus.	Veale.	

HOUSE BILL NO. 18.

Action recurred on House bill No. 18, the question being on the amendment by Senator Hume.

Senator Terrell of Bowie offered the following amendment to the amendment:

Amend the amendment by striking out "\$15,000" whenever it appears, and insert in lieu thereof the following: "\$7,500."

Pending discussion, Senator Kellie moved the previous question on the amendment to the amendment, and the amendment, which motion being duly seconded, was so ordered.

The amendment to the amendment was lost by the following vote:

Yeas-8.

Brachfield.	Sturgeon.
Greer.	Terrell of Bowie.
Mayfield.	Thomas.
Real.	Ward.

Nays-21.

	AT
 Adams. Alexander.	Murray. Paulus.
Bryan.	Peeler.
Cofer.	Perkins.
Harper.	Senter.
Hayter.	Terrell of
Hudspeth.	McLennan.
Hume.	Veale.
Kellie.	Weinert.
Masterson.	Willacy.
	.01 3

Absent.

okes.	Watson	
	7.70	

Senator Holsey (present), who would vote "yea," with Senator Meachum (absent), who would vote "nay." The amendment was then adopted by

PAIRED.

the following vote:

Yeas-20.

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	Adams.	Murray.	
	Alexander.	Paulus.	
	Bryan.	Peeler.	
	Cofer.	Perkins.	
	Harper.	Real.	
	Hayter.	Senter.	
ì	Hudspeth.	Terrell of McLennan.	
	Hume.	Veale.	
	Kellie.	Weinert.	
	Masterson.	Willacy.	
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4. 650 250	***
Brachfield.	Mayfield.
Greer.	Sturgeon.

Terrell of Bowie. Ward. Thomas.

Absent.

Stokes. .

Watson.

PAIRED.

Senator Holsey (present), who would vote "nay," with Senator Meachum (absent), who would vote "yea." Senator Terrell of Bowie offered the

following amendment, which was read and adopted:

Amend the bill by adding between lines 7 and 8 on page 21, the following: "For repairing furniture, curtains, etc., and renovating and refurnishing the Governor's reception room as the Superintendent of Public Buildings and Grounds may determine, \$500."

Senator Hudspeth offered the follow-

ing amendment:

Amend the bill by striking out in line 4, page 20, as to salary of superintendent "\$1500," and insert in lieu thereof "\$1800" for each year, and providing further that this item cannot be vetoed without vitiating the entire appropriation bill.

Pending.

BILLS SIGNED.

The Chair (Lieutenant Governor Da vidson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

House bill No. 61, "An Act to amend Subdivision 21, Article 642 of the Revised Civil Statutes of the State of Texas, adopted in 1895, as amended by an act of the Twenty-eighth Legislature, Chapter 44, page 62, entitled 'An Act to amend Subdivision 21 of Article 642 of the Revised Civil 'Statutes of the State of Texas, adopted in 1895, so as to provide that corporations organized for the purpose of constructing or acquiring with power to maintain and operate street railways and suburban or belt lines of railways within and near cities and towns which use electric power shall be authorized to supply and sell electric light and power to the public and to municipalities,' so as to authorize corporations organized under said subdivision of said act to use electricity, steam or other motive power, and to confer tions and restrictions in respect thereto; upon such corporation the right of eminent domain; providing that such the support of the State Government for railways shall not be subject to the contine year ending August 31, 1909, and

trol of the Railroad Commission, and

declaring an emergency."
House bill No. 17, "An Act to amend Sections 122, 123 and 124 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to teachers' certificates, and declar-

ing an emergency."
Senate bill No. 38, "An Act to create a more efficient road system for Wood

county, Texas," etc.

ADJOURNMENT.

On motion of Senator Brachfield, the Senate, at. 6 o'clock p. m., adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

COMMITTEE REPORTS.

(Floor Report.)

Austin, Texas, May 3, 1909. Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 42, A bill to be entitled "An Act to amend Article 486, Chapter 5, Title 18 of the Revised Statutes of 1895, authorizing cities and towns to issue bonds and levy taxes in payment therefor; repealing all laws and parts of laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation

that it do pass, and be not printed. Senter, Chairman, Holsey, Terrell of McLennan, Cofer, Pecler, Real, Willacy,

> Committee Room, Austin, Texas, May 3, 1909.

Hon. A. B: Davidson, President of the Senate.

Sir: Your Committee on Finance, to whom was referred

House bill No. 18, A bill to be entitled "An Act making appropriations for the support of the State Government for two years, beginning September 1, 1909, and ending August 31, 1911, and for other purposes, and prescribing certain regula-tions and restrictions in respect thereto; to pay various miscellaneous claims against the State, and declaring an

Have had the same under considera-tion, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following amendments:

Amend by inserting after the word "State," in line — of the caption the following: "Authorizing the payment of said miscellaneous items upon the taking effect of this act."

Amend by striking out all after the enacting clause and insert the following: "We also recommend that neither the bill nor the amendments be printed in the Journal nor otherwise."

WILLACY, Chairman.

Committee Room, Austin, Texas, May 3, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and com-

Senate bill No. 18, A bill to be entitled

"An Act concerning surety companies authorized to transact business in this State and their agents, and to permit such companies and such agents to form an association for the purpose of gathering statistics, exchanging experiences and ascertaining the fair and reasonable rates to be paid them for their suretyship, and to maintain such rates, and to prevent losses, arising from dishonesty or dereliction of duty of public offi-cers, trustees and others, and to prevent discriminations, favoritism or rebates, and declaring an emergency,

And find the same correctly engrossed. WARD, Chairman.

Committee Room, Austin, Texas, May 4, 1909. Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 41, A bill to be entitled "An Act to amend Section I, Chapter 132 of the Acts of the Twenty-ninth Legislature, so as to permit the owners of land or lots sold to the State or to any city or town for taxes to redeem the same, with an emergency,"

And find the same correctly engrossed. WARD, Chairman.

Committee Room, Austin, Texas, May 4, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 42, A bill to be entitled "An Act to amend Article 486, Chapter 5, Title 18 of the Revised Statutes of 1895, authorizing cities and towns to issue bonds and levy taxes in payment therefor; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed. WARD, Chairman.

SEVENTEENTH DAY.

Senate Chamber, Austin, Texas, Wednesday, May 5, 1909

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson pre-

The roll was called, a quorum being present, the following Senators answering to their names:

Adams. Paulus. Alexander. Peeler. Brachfield. Perkins. Bryan. Real. Cofer. Senter. Greer. Stokes. Harper. Sturgeon. Terrell of Bowie. Hayter. Holsey. Terrell of McLennan. Hudspeth. Thomas. Kellie. Veale. Masterson. Ward. Mayfield. Watson. Meachum. Weinert. Murray. Willacy.

Absent.

Hume.

Prayer by the Chaplain, Rev. H. M.

Pending the reading of the Journal of vesterday, on motion of Senator Cofer, the same was dispensed with.

SIMPLE RESOLUTION.

By Senator Ward:

Whereas, It has pleased Almighty God, in His infinite love and wisdom, to call from time to eternity Hon. W. H. Getzendaner; and,